
all right; but by the law which you have been depending this morning, he may be ruined in a day. Your correspondent," "Rutherford," who is so much down to us, has very ably pointed out the quite unwholesome and false idea of the law, which would make such a law open for the real fraudster and the real swindler, for a man may be in debt to his friends and arrange with them to purchase a large quantity of goods for cash, and in that way get made up a dividend of 15s. in the pound. Why, then, in *Barclay's* case, by his schedule, he only owed £400; and if the official receiver had refused to pay him out of £84, he can present the bill legally for £100 on twenty shillings in the £. We might say anything on the morality of the matter, but perhaps we had better let them alone. We trust, Sir, that you will be able to see the wisdom and legal technicalities, and look at the broad justice of the case, that you will not only cease to uphold it, but will be able to see the danger to the honest and upright in its effects, but you your influence in the positive direction.

Yours, faithfully,
ANDERSON, CAMPBELL, and CO

SEMPILL F. ANDERSON
To the Editor of the Herald.

SIR,—In your leading article of this morning you allude to this case as turning on the property of the fund, purchased without any stipulation as to its use, delivered to the purchaser (who at the time

stated by him to the vendor, who had said for his sake he could not meet. On this state of facts, we have to award the holding of his Honor Mr. Justice Glynne to me; notwithstanding that the property in the realty had not passed, and that the insolvent had not been declared such, until the day of the concluding of it within sixty days of the date of the deed. It is a curious case, and the question was a startling allegation, within section 5 of the Insolvent Act. There is certainly much to be urged in favour of the vendor's claim, and, after reading your report, I am almost ready to account for the vehement outcry which it had excited.

But in another part of your number of to-day I find very different state of facts alleged, and a very different ruling complained of.

A representative of the "Times" writes, "I signed, and who, is not a lawyer, seems to have some suggestions, states that the question was of substance, and was, which were brought expressly for cash (by person unknown to the vendor, but knowing him, and

According to "Butcher," Mr. Justice Wilson paid the jury that the price so paid for the bran and corn as a payment made to a creditor within section 13 of the Insolvency Act, and that, in effect, *Adm.* was as to its claim within the saving clause of that section.

Now, admitting your correspondent's facts, I should find it difficult to dissent from his conclusions, though I must strongly express my dissent from the manner in which he has treated the case in his editorial. I found the *Star*, in harmony with your remarks, and naturally I went as to the matters alleged by "Butcher." I then consulted the Empire, and found the report there substantially identical with yours. There was, however, a passing mention at the outset of the *Star*, as well as *Adm.*, and this put me on further inquiry. Finally, on consulting some legal friends, I found that your correspondent, through the trial, I am sure, had been misled by the facts of the case. At least to the extent there had been a doubt.

The corn and bran, another to the flour: that is a twofold ruling by his Honor, one portion of which you have defended, while your correspondent attacked the other. The latter is at least to the value of the gold and silver shield. In justice to your reporter, whose narrative, correct as far as it went, furnished the text for your remarks, I should like to state the true facts of the case, and to give the gist of the case relating to the flour war. For more commitment than that which concerned the corn and bran. Possibly, neither counsel expected that a case of this kind would have been so strangely mis-instructed for *malis fides*.

I trust the importance of the case to a trading community will be my excuse for troubling you thus at night.

Permit me to remain, Sir, your obedient servant,

EMPTOR.

THE DARLINGHERN ESCAPES.

To the Editor of the Herald.

After receiving your editorial, and observing it over and over again, I am convinced that it is a gross and wilful misconstruction, I take the liberty of saying before you, for the purpose of insertion, the following:—The editor of the Herald has been grossly deceived by the use of the recently escaped prisoners, from the above named ship, by name Thompson, and trust, for the public information, you will allow it space in your columns, to state that although the above named prisoners were taken on board the schooner, proprietor of an omnibus plying between Cook's River and Sydney, respecting whom some false and ill-founded reports have been circulated as to an attempt to hold the vessel as a ransom, the situation in the police, who somewhat indirectly has his remarks caused an impression among the inhabitants of Newrow and the Cook's River, Robert Gammon, who was taken aboard the schooner, the prisoner Thompson to justice by allowing him, the prisoner, to ride in a conveyance from Cook's River to Sydney, in which the above named prisoners were taken on board, is not have been apprehended by constable Fairley, shall be hereafter stated. Some few days ago the same appeared in your paper, stating that the prisoner released was taken on board the schooner by a sergeant police, while purchasing something in a shop at Newrow. Such statement is not correct.—Therefore, render unto Caesar the things that are Caesar's, and unto God the things that are God's. The bird

acts of the case are as follows:—After Thompson had pursued, he made to the residence of one who would hide him somewhere in the vicinity of New South Wales. He gave him a sum of money, and told him to cross the dam or river at Cook's River, and remain secreted there till the next morning, and then to ride into Sydney boldly in Gannon's costume, and say he (the Friend) would find him some permanent abode, or secure him a passport.

Thompson acted according to the seeming friend's advice, and was fortunately taken. The friend above alluded to, after receiving this advice, told constable Farley that he had a friend who could be of use to him, and the next day for the "bus, and saluted Thompson (not with a kiss), introducing him into a certain private apartment prior to his presentation at Darlinghurst Gaol, and, to induce the constable to accept of him, constable Farley has circulated a report that Mr. Robert Gannon attempted to connive at the escape of the prisoner by saying to Farley that he (Gannon) knew his face, and he did not know him one of the men who were pursued, but he had said, "he can remark on proof of aiding, abetting, or conniving at the escape of Thompson. This clever individual has also hinted at Mr. Gannon might have had him (Thompson) in his power, and expressed a desire to have Thompson "purchased" indefinitely made, are calculated to do much injury to the Mr. Robert Gannon, and are totally false without foundation. By giving publicity to these proceedings, you will oblige

AN OLD SUBSCRIBER OF THIRTY YEARS.

The Editor of the Herald

The announcement of the commission to collect and transmit the products of this colony to the exhibition of next year, though too long delayed, did doubtless be hailed with satisfaction by all who were the advancement of the colony at heart.

Valuable additions have been made to the excellent series first mentioned, and the ultimate selection may be the criticism of the most cynical.

As the articles sent from New South Wales to the exhibition of 1854, for the purpose of carrying and forwarding were very seventeen contributors) gave no idea of the many resources of the colony, and the superior quality of the Paris Exposition of 1855 was scarcely representative very few of our countrymen. It was, however, immediately adopted for obtaining the co-operation the public in producing such a display as will be the birth of the colony, and form a convincing proof to friends at home of our great natural capabilities and developed wealth.

Perhaps it might be advisable to form local committees in the most important country districts, for the purpose of facilitating and encouraging the contributions of their various resources.

Our neighbours have had the start of us in commencing their proceedings at an earlier period than ourselves; we must, therefore, be the more energetic in our exertions to prevent the oldest colony of the Australian group from being left in a subordinate position.

We have frequently, and perhaps too truthfully, been accused of a negligence and want of enterprise in the matter; but as we are occasionally shamed by fellow-countrymen in other parts of the empire, now, let us once more make a zealous effort and display the best New South Wales, rising with us in glory in her commercial greatness, and be determined to improve on our past efforts, as much as that excelled the last, and to provide such a collection as will win the approbation of the world.

I am, Sir, yours, &c.,
M. G. W.

Sydney, March 5th.

that it is charged had been made. The artists, however, in their own private productions, their exhibition would have been on a paying scale, and the entire collection would have been offered at auction to-day, by Mr. J. G. Thompson, and those who desire to possess choice pieces of sculpture may be honestly advised to embrace this opportunity.

NO. 2 COMPANY VOLUNTEER ARTILLERY. - A meeting of this company was held at the Royal Hotel, last Saturday evening, for the purpose of electing four non-commissioned officers, which having been done, the chairman, Mr. J. H. Shepherd, announced that the arms and accoutrements of the company, and the carbines were ready for distribution, and that a band had been organised, exclusively of volunteers, for the use of the company.

...cultive unpreserved sole by

At Messrs. Young, Lark, and Bennett's Store.

THURSDAY, 7th March.

To Wine and Spirit Merchants, Hotelkeepers, Storekeepers, Shippers, and others.

MESSERS. W. DEAN AND CO. have received instructions to sell by auction, at Messrs. Young, Lark, and Bennett's Store, Margaret-street, **THIS DAY, 7th March, at 11 o'clock** Without the slightest reserve.

64 in go and six.

Tenure at sale.

Important to Grocers, Storekeepers, Shippers, and others.

FRIDAY, 8th March.
Prime New Pork
French Capers, Vinegar
Mansard and Vermorel
Prunes, Coris
Cherries, Chocolate, Grape Jam, &c.
For unreserved sale, to close as accoust.

L. E. THRELKELD and CO. have been
instructed to sell by auction, at the City
Mart, on FRIDAY, at 11,
35 cases, each 4 dozen, French capers
120 boxes, each 1 lb., prunes
50 boxes, each 7 lbs., mansard and vermorel
10 boxes, each 15 gross, wine corks
25 cases, each vinegar
30 ditto French prunes
30 ditto breaded cherries
1 ditto French chocolate
1 ditto each 8 lb., grape jam
50 half-harrois prime new pork
Turns at sale.

Cork, &c.
FRIDAY, 8th instant.

To Wine and Spirit Merchants, Shippers, and others.
By Marguerite Dandies.
4 Bales Porter Cork, each 100 gross
3 Ditto fine Wine Ditto, each 100 ditto.
See Specimen.

150 gross ditto ditto.
For reserved min.

L. E. THRELKELD and CO. will sell by
auction, at the City Mart, on **FRIDAY,**
at 11,
Wine and beer stocks, as above.
Terms at sale.

Groceries
Ollman's Store, &c.

Important to Grocers, Country Storekeepers, Shipmen,
and others.
Important Unreserved Sale.

FRIDAY, 6th instant.

L. E. THRELKELD and CO. have been
instructed to sell by auction, at the City Mart,
on **FRIDAY, 7th,**
Invasion of groceries, oilman's stores, provisions, &c.,
comprising

- 50 cases Bagnol's 1 & 2 Jams
- 50 ditto Bilo and Lard cases, assorted
- 3 ditto English confectionary
- 20 ditto white pearl sugar
- 10 ditto

109 house Cape ditty
109 hercules pearl barley
14 ditto prime Fort Suma
10 ditto Fatma curraux
109 covey rib, corymb, each 4 dozen
9 ditto assorted covey
13 hercules Malabar almonds
109 silver Labrador almonds
109 bean dices
109 bean finest young hams
109 half-chicken ditto salmon
109 coast assorted China preserves
109 ditto China lamp oil
109 ditto Biscuits, Biscuit boxes
15 ditto Battery 1/2 lbs fresh harrigue
10 Whywone's sashewas
10 ditto quark salad oil
10 hercules bean oil
9 peachstone Mairling fish
109 coarse Biscuits ditto ditto
10 ditto Oreg's fine cream
10 ditto salmon mackerel
10 ditto salmon mackerel
109 big Macfarlane grapes
109 coast Leather's starch
9 ditto Dan's corns and champagne
109 house Fricas salad
109 coast Blonze fish, sea, do, do,
Turbin oil table

China, Biscuits
Goussier, Gillman's Biscuits.

FRITH and PAYTEN will sell by auction at their Rooms, Pitt-street, on FRIDAY next, 8th inst., at 11 o'clock,

Omelet and hussacks toes
Maulia and Java sugar
Liverpool soap
Mocha cardines
Omelet and Blackwall pickles
Ditto ditto peas, Isleburg jelly, &c.
Whyburn's quack vinegar
Ditto 1 lb. and 1 lb. mustards
Of champagne 1 lb. case
Confectionary, tetrugram
China preserves, &c., &c.

Arrives at sale.

Important Sale, Provisions, &c. *
Auction Sale—FRIDAY, 8th March.

FRITH and PAYTEN will sell by auction, at their Rooms, Pitt-street, on FRIDAY next, 8th inst., at 11 o'clock,

Bacon, cheese, tongue, mutton pork, &c., just arrived.

10 cases Compton's prime ham, in bunks
10 ditto prime middling do., ditto
10 ditto hams, in salt
50 boxes prime Gouda cheese
2 bags cured tongues
50 smoked tongues

To perform, **PAINT**, **DAINTY**, and **ESTHER**.
Flame Brown Windsor Soap.

F **RAITH** and **PAYTEN** will sell by auction,
 at their Rooms, on **FRIDAY** next, 8th
 instant, at 11 o'clock,

7 cases fine brown Windsor soap, each 52½ packets, 1 lb.
 tinful
 4 cases fine brown Windsor soap, each 52 packets, 7 lbs.
 tinful
 5 cases fine brown Windsor soap, each 54 packets, 7 lbs.
 tinful.

Terms at sale.

Freehold Property.
For Positive Sale.

BRING Cottage, Ham-stead, Darling Nursery Estate (near
 the Newtown Road), including the property of Mr.
 William Deane.

M **R. H. D. COCKBURN** has received in-
 structions from Mr. Duke Whyte, to sell by
 auction, on **FRIDAY**, 8th March, at 11 o'clock, on the
 premises, Ham-stead, Darling Nursery (near the Newtown
 Road).

A comfortable four-roomed cottage, on stone founda-
 tion, standing on a block of land of 30 rods frontage
 to Ham-stead, to be depot of 50 feet to a reserved
 lane of 12 feet wide, with a well flower garden in
 front.

premises is an excellent well of water.
Persons of small capital, requiring a snug cottage
residence, or a profitable investment, would find this variety
of their situation.

Terms, cash. Title, negotiable.

Certs., Drays, Blacksmiths' Tools, do.
To Whitegrays, Blacksmiths, and others.

M. R. H. D. COCKBURN has been instructed
by the proprietor, who is leaving Sydney,
to sell by public auction, on **FRIDAY, 2nd March**, at 11
o'clock, on the premises, adjoining the Cottages of
Constant Hervey.

The stock consists of a wheelwright—comprising new
and used 6-band market carts, drays, spoked, felled,
wheals, blacksmiths' bellows, saws, vices, iron tools,
as well as furniture, carpenters' benches, scales, beams,
and sundries.

Terms, cash.
To Banchers.

G. M. FITZ has received instructions from
Messrs. Skuthorn and Esther to sell by
public auction, on **WEDNESDAY, the 7th instant**, at Mr. John
Palmer's, at 11 o'clock, as follows:

512 head of prime fat cattle, in lots.
They are worthy of attention.

For Wetters. For Wetters.

THOMAS DAWSON is instructed to

